

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of

Masanobu NINOMIYA et al.

Group Art Unit: 2852

Application No.: 09/722,828

Examiner: J. Dote

Filed: November 28, 2000

Docket No.: 107971

For: TONER FOR DEVELOPING ELECTROSTATIC LATENT IMAGE, TWO-  
COMPONENT DEVELOPER, AND IMAGE-FORMING PROCESS

**DECLARATION UNDER 37 C.F.R. §1.132**

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

I, Masanobu Ninomiya, a citizen of Japan, hereby declare and state:

1. I have a master's degree in science which was conferred upon me by  
Hiroshima University in Hiroshima-shi, Hiroshima, Japan in 1991.

2. I have been employed by Fuji Xerox Co., Ltd. since 1991 and I have had a  
total of <sup>11</sup>~~10~~ years of work and research experience in organic chemical materials. M.N 08/12/2003

4. I am familiar with the above-identified application.

5. I and/or those under my direct supervision and control have conducted the  
following experiments:

Experiments were conducted to determine the molecular weight and weight ratios of  
the developer described in Example 31 (incorporating binder resin 28) of U.S. Patent No.  
5,250,382 to Shimojo et al. ("Shimojo"). Based on the provided Mn, Mw and blend ratio of  
the domain and matrix of Example 31, the following results, as shown in the Table below,  
were obtained.

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	Mn	Mw	Blend Ratio	Molecular weight of at least $1 \times 10^6$ (wt.%)	Ratio of differential molecular weight distribution of $5 \times 10^3$ (%)	Ratio of differential molecular weight distribution of $1 \times 10^5$ (%)
Domain	5000	12000	50	0.0	0.619	0.083
Matrix	6800	21000	50			

Thus, as shown in the above table, the developer according to Example 31 of Shimojo does not meet the values specified for the claimed percentages of the differential molecular weight distribution of  $5 \times 10^3$ .

6. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and/or imprisonment under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date: 08 / 12 / 2003

Masanobu Ninomiya  
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